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Data Protection – Challenges for Electronic Communication in Transatlantic Business

Thursday, May 22, 2014

Institute for Law and Finance
House of Finance, Campus-Westend,
Grüneburgplatz 1, 60323 Frankfurt

In cooperation with:



Data Protection – Challenges for Electronic Communication in Transatlantic Business

A briefing and discussion session in cooperation with the Section of International Law of the American Bar Association and the German American Lawyers' Association (DAJV)

When using US communication or information technology (IT) services, any transfer of personal data from Germany to the US needs to comply with German data privacy laws. Due to the vast presence of IT infrastructure outsourcing, cloud based services and social media as well as the high level of integration of IT services, a transfer of personal data, however, often remains unnoticed or without the necessary management supervision. With the recent NSA revelations, awareness increases and uncertainties rise.

In this briefing and discussion session, US and German business representatives and legal experts will discuss the challenges that multinational business enterprises face in attempting to comply with German data privacy laws while providing communication and IT infrastructure services, enforcing compliance policies and procedures, conducting cross-border investigations and executing transactions.

Who should attend?

Representatives of business enterprises, financial institutions and trade organizations with activities in the US or using US services as well as lawyers and compliance officers dealing with transatlantic business transactions.

Program

10:00	Registration & Continental Breakfast
11:00	Welcome Remarks & Keynote Speech Dr. Hermann J. Knott, LL.M. , Luther
11:30 - 13:00	Data Protection – The impact of technological integration The understanding of data protection differs fundamentally in the US and Europe. The panel will discuss issues such as <ul style="list-style-type: none">■ Does the advance of technological integration via cloud based infrastructure and social media providers mean that the European concept of protection of personal data becomes abundant?■ What consequences does the European claim for transparency have for US service providers and how can concerns of European business partners be addressed? Do we need a pan-European infrastructure?■ Do the European data protection laws provide effective means for US service providers and for German companies using these services?
<i>Session Chair & Moderator</i> Dr. Stefanie Hellmich, LL.M. , Luther	
<i>Speakers</i> Christopher E. Hart , Attorney-at-Law, Foley Hoag LLP, Boston Dr. Oliver Kliegl , Head of Strategic Acquisitions, Deutsche Telekom AG Dr. Stefan Krätschmer , Head of Group Data Protection, IBM Deutschland (invited) Dr. Jyn Schultze-Melling , Head of Group Data Protection, Allianz SE Boris Segalis , Attorney-at-Law, InfoLawGroup LLP, New York	
13:00 - 14:00	Lunch

14:00 - 15:30	International compliance investigations This session will discuss the challenges that multinational business enterprises from the US face in attempting to comply with European data privacy laws while effectively enforcing compliance policies and procedures and conducting cross-border investigations.
<i>Session Chair & Moderator</i> Dr. Markus Rübenstahl, Mag. iur. , Friedrich Graf von Westphalen & Partner	
<i>Speakers</i> Robert Bond , Solicitor & Notary Public, Speechly Bircham LLP, London (invited) Dr. Roman Reiss , Legal Services/Compliance, Robert Bosch GmbH N.N. , Attorney-at-Law, USA	
15:30 - 16:00	Networking
16:00 - 17:30	Data Protection Rules and their Impact on M&A Transactions As European privacy laws prohibit a transfer of personal data in a country not providing for an adequate level of data protection the panelists will discuss whether these rules constitute a barrier to cross-border business, in particular M&A transactions, when data is routinely disclosed or transferred in a due diligence process and acquired as part of the business.
<i>Session Chair & Moderator</i> Prof. Dr. Norbert Nolte , Freshfields	
<i>Speakers</i> Roberta Burnette , Attorney-at-Law, Dentons US LLP, Los Angeles Dipl.-Kffr. Susanna Fuchsbrunner, LL.M. , Attorney-at-Law, Luther Dr. Harald Voigts , Senior Counsel M&A, Linde AG	
17:30	Closing Remarks Dr. Hermann J. Knott, LL.M. , Luther
18:00	Refreshments